

California Public Records Act Request

Date

2019-04-30

Our Ref. Num.

ZX04-940517-01

Please provide the following public records pursuant to the California Public Records Act (the “Act”), any sunshine ordinances that apply to your jurisdiction, and Article I of the California Constitution. If the recipient cannot address this request, please forward it to the appropriate official or staff member. “You” and “your,” refer to each of the one or more requestee public agencies, and not merely the individual recipient or member, agent, officer, or employee of the public agency. “Including” means “including but not limited to.” We reserve all of our rights under the Act and other applicable law.

All of your responses, including any disclosed records, secret URLs or file share passwords, may be automatically, instantly, and publicly viewable via the muckrock.com Internet service used to issue this request.

Please be certain all responses are properly redacted. I am not a representative of MuckRock.

Requestee Public Agencies

(The agency/ies addressed in the cover email/fax/letter transmitting this request)

Requestor

An anonymous member of the public^a, who may be contacted only via email

Prompt Response Required

Your determination and reply to this request (or notice of 14-day extension), including estimated date of record availability, is expected within 10 calendar days. (Gov’t Code sec. 6253(c))

^aSince Act requests are not even required to be in writing (“The California Public Records Act plainly does not require a written request.” *Los Angeles Times v. Alameda Corridor Transp. Auth.* (2001) 88 Cal.App.4th 1381, 1392.) and may not be distinguished by the purpose of the request (Gov’t Code sec. 6257.5), I choose not to use any forms you may have made available for Act requests nor will I identify myself nor provide contact information other than e-mail address.

Important Notes

The checked items below are incorporated into our request:

A. FEES

- A1. Please waive fees if possible.

Provide us only those copies of records available:

- A2. without any fees A3. with fees no greater than \$0.00.

For all copies that would incur greater fees, please instead provide the (free) statutorily-required determination of which records are available for in-person inspection, if we so choose, and an estimate for copying.

- A4. Contact us prior to performing any services requiring fees.

B. SEARCH

- B1. Please assist in identifying and locating responsive records and overcoming objections to their disclosure (Gov't Code sec. 6253.1(a)).

- B2. Under *City of San Jose v. Superior Court* (2017), search personal email and mobile accounts and devices for requested records, as appropriate.

- B3. Include all attachments, exhibits, appendices, and images, in and to all responsive records.

- B4. Perform a diligent search for responsive records and examine them before determining they are exempt, as you may find that responsive records have segregatable disclosable portions that you must disclose (Gov't Code sec. 6253(a)) which cannot be determined unless you actually search for records.

- B5. If you waived exemptions by prior disclosure to other members of the public (Gov't Code sec. 6254.5), we request you do not withhold that record or portion from us either.

- B6. If emails are requested, please (include / exclude) spam and automated messages.

C. SCHEDULE

- C1. Immediate disclosure is requested under your local sunshine ordinance.
- C2. Please provide records in rolling or incremental fashion, as they are ready.
- C3. This is a written extension of the 10-day response deadline by an additional 0 days.
- C4. This is a written extension of the 14-day extension period by an additional 0 days.
- C5. Please prioritize review and disclosure of the following numbered requests: N/A.

D. DELIVERY

- D1. We request a formal determination notice for *each* of the 2 request(s) below, indicating that you have (a) no responsive records, (b) provided all responsive records, (c) provided some, and withheld some or parts of some, responsive records, or (d) found and withheld all responsive records.

Please provide records in:

- D2. electronic format (Gov't Code sec. 6253.9(a)), via e-mail attachments
- D3. electronic format (Gov't Code sec. 6253.9(a)), on USB/DVD/CD via mail
- D4. paper format, via mail

D5. Please provide a lossless copy of e-mail records in their original format such as .msg or .eml formats, or in another format that fully preserves all e-mail headers and other metadata (Gov't Code 6253.9(a)(1)). If you instead, for example, print the email to PDF format, please ensure you have provided ALL email headers (except those exempt under the Act), or we will lose valuable data associated with the record, you will not have provided us a complete copy of the public record, and we may challenge your response for withholding other email headers without statutory justification.

- D6. If a record is available on your public website, a URL is preferable to duplication.
D7. Cite statutory authority for all records withheld/redacted and the name and title of each person responsible for withholding. Inform us of any appeal procedures if any records are withheld/redacted.

2 Request(s)

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, memos, staff reports, agenda items, sent, written, or received between January 1, 2014 and 2019-04-30(inclusive), to or from any employee or officer that contain any of the following keywords (in the subject, body, attachments, from, to, cc, or bcc or any other fields or portions):

R1. Obama

R2. Trump

All of your responses, including any disclosed records, secret URLs or file share passwords, may be automatically, instantly, and publicly viewable via the muckrock.com Internet service used to issue this request.